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THE MYSTERY OF JUSTICE.

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I.

IN a former essay I referred to Napoleon's three crowning acts of injustice: the three celebrated crimes that were so fatal to his own fortune. The first was the murder of the Duc d'Enghien, condemned by order, without trial or proof, and executed in the trenches of Vincennes: an assassination that sowed insatiable hatred and vengeance around the path of the erring dictator. Then, the detestable intrigues whereby he lured the too trustful, easy-going Bourbons to Bayonne, that he might rob them of their hereditary crown; and the horrible war that ensued, a war that not only cost the lives of three hundred thousand men, but that swallowed up all the morality, energy, prestige of the Empire, and brought eclipse to its hitherto prosperous destiny. And lastly, the frightful, unpardonable Russian campaign, which culminated in disaster to his fortune among the ice of the Beresina and the snowbound Polish steppes. I remarked at the time:

"There were innumerable causes for these prodigious catastrophes; but, when we have slowly picked our way through all the more or less unforeseen circumstances and accidents, marked the gradual change in Napoleon's character, the acts of violence, impru-

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dence and folly of which this man of genius was guilty; when we have seen how deliberately he brought disaster to his smiling fortune—may we not almost imagine that we behold, erect at the very fountain-head of calamity, the silent shadow of misunderstood human Justice? Human Justice, with nothing of the supernatural, nothing very mysterious, but built up of many thousand very real little incidents, many thousand falsehoods, many thousand little acts of wrongdoing and consequent retaliation; human Justice, and not a power that suddenly, at some tragic moment, leaped forth like Minerva of old, fully armed, from the formidable, despotic brow of Destiny. In all this, there is but one thing of mystery, and that is the eternal presence of human Justice; but we are aware that the nature of man is very mysterious. Let this mystery for the present detain us. It is the most certain of all, it is the profoundest, it is the most helpful, it is the only one that will never paralyze our energy for good. And though this patient, vigilant shadow be not as clearly defined in every life as it was in Napoleon's, though Justice be not always as active or as undeniable, we shall none the less do wisely to study a case like this whenever opportunity offers. It will at least give rise to doubt and stimulate inquiry; and these things are of greater worth than the idle, short-sighted denial or affirmation that we so often permit ourselves; for in all questions of this kind it is less important to prove than to arouse attention, to create a certain grave, courageous respect for all that yet remains unexplained in the actions of men, in their subjection to what appear to be general laws, and in the results that ensue."

II.

Let us now consider how this great mystery of Justice does truly and effectively work itself out in man. The heart of him who is guilty of an unjust act becomes the scene of ineffaceable drama, the supreme drama of human nature, which grows the more dangerous, and the deadlier, in the degree that the man is greater and of wider knowledge.

A Napoleon will say to himself, at such troubled moments, that the morality of a great life cannot be as simple as that of an ordinary one, and that an active, powerful will has rights denied to the will that is feeble and sluggish. He will hold that he may the more legitimately sweep aside certain conscientious scruples, inasmuch as his disregard for these is not due to ignorance or weakness, but to the fact that he views them from a standpoint higher than that of the majority of men; and, further, that his aim is grand and glorious, and this passing, deliberate callousness of his, therefore, truly a victory won by his force and his intellect, since there can be no danger in doing wrong when it is done by one who knows that he does it and why. These arguments, however, cannot destroy what is deepest in our nature. An

act of injustice must always shatter the confidence that a man had in himself and in his destiny; at a given moment, and that generally of the gravest, he ceases to rely upon himself alone; and this will never be forgotten, nor will he henceforth ever again be wholly himself. He has confused and probably corrupted his fortune by the introduction of strange forces. He has lost the exact sense of his personality and his power. He no longer clearly distinguishes between what is his own and due to himself, and what he is constantly borrowing from the pernicious collaborators whom his weakness has summoned. He has ceased to be the general who has none but disciplined soldiers in the army of his thoughts; he becomes the usurping chief around whom are only accomplices. His is no longer the dignity of the man who scorns the glory at which his heart must smile sadly, as an unhappy lover smiles at the woman who has deceived him.

The man who is truly strong examines with eager care the praise and advantages that his actions have won for him, and silently rejects whatever exceeds a certain line that he has traced in his consciousness. And the stronger he is, the more nearly will this line approach the one that has already been drawn by the secret truth that lies at the bottom of all things. An act of injustice is almost always a confession of weakness, and there need be but very few such confessions to reveal to the enemy the most vulnerable spot of the soul. To commit an unjust deed that we may gain some small measure of glory, or that we may save the little we have, is to confess to ourselves that we do not merit what we desire or what we possess, and that the part we have sought to play is beyond our powers of loyal fulfilment. To this part, however, we none the less cling most anxiously, and thus do errors, phantoms and illusions make their entrance into our lives.

And at last, after a few falsehoods, a few acts of deceit, of treachery, of culpable self-indulgence, the survey of our past life can only discourage, whereas we need that it should sustain us. In this past alone do we truly know ourselves; this only in our moments of doubt can come to us and say: "Since you have been able to do this thing, it shall lie in your power to do that thing also. When that danger confronted you, when you writhed in that terrible grief, you had faith in yourself and you conquered. To-day, the circumstances are the same. Do you but preserve

your faith in yourself, and your star will be constant." But what answer shall we make when our past can only whisper: "Your success hitherto has been solely due to injustice and falsehood, wherefore it behooves you once again to deceive and to lie." It can afford no man satisfaction to let his eyes rest on ancient acts of disloyalty, weakness or treachery; and all the events of bygone days which we cannot contemplate calmly and peacefully, deriving therefrom satisfaction and hopeful strength, trouble and limit the horizon which the days that are not yet are forming far away. It is only a prolonged survey of the past that gives to the eye the strength it needs to look into the future.

III.

No, it was not the inherent Justice of things that punished Napoleon for his three great acts of injustice, or that will punish us, in a manner less startling perhaps, but not less painful. Nor was it an incorruptible, irresponsible Justice, "reaching to the vault of the sky," and forever steadfastly pursuing its own immovable course. Punishment befalls us for the reason that the entire moral being of man, his mind and his character are incapable of living and acting except in Justice. Leaving that, we leave our natural element; we are transplanted, as it were, to a planet of which we know nothing, where the ground slips from under our feet and all disconcerts us; for, while the humblest intellect feels itself at home in Justice, and can readily foretell the consequences of every just act, the most profound and penetrating mind loses its way hopelessly in the injustice that itself has created, and can form no conception of the results that shall ensue. The man of genius who renounces the equity dear to the humblest peasant will find all paths strange to him, and these will be stranger still should he overstep the limit his own sense of Justice imposes; for the Justice that soars aloft, keeping pace with the intellect, establishes new boundaries around all it discovers, besides strengthening and rendering more insurmountable still the ancient barriers of instinct. The moment we cross the primitive frontier of equity all things seem to fail us; one falsehood gives birth to a hundred, and treachery returns by a thousand channels. If Justice be in us, we may march along boldly, for there are certain things to which the basest cannot be false; but if injustice possess us, we must beware of the justest of men,

since there are things to which it is impossible they should be faithful. As our physical organism was devised for existence in the atmosphere of our globe, so is our moral organism devised for existence in Justice. Every faculty craves for it, and is more intimately concerned with it than with light or heat, or the laws of gravitation; and to throw ourselves into injustice is to plunge headlong into the hostile and the unknown. All that is in us has been placed there with a view to Justice; all things tend thither and urge us towards it; whereas, when we harbor injustice, we are battling against our own strength; and, at the hour of inevitable punishment, when, prostrate, weeping and penitent, we recognize that events in revolt, the sky, the universe, the invisible, are all justly in league against us, then may we truly say, not that these are or ever have been just, but that we, notwithstanding ourselves, have contrived to remain just even in injustice.

IV.

We say that nature is absolutely indifferent to our morality, and that were this morality to command us to kill our neighbor, or to do him the utmost possible harm, Nature would aid us in this no less than in our endeavor to comfort or serve him. She would seem to reward us as often for having made him suffer as for our acts of goodness towards him. Does this give us the right to conclude that Nature has no morality—using the word in its most limited sense as meaning the logical, inevitable subordination of things to the accomplishment of a general mission? That is a question to which it were wise not to reply too hastily. We know nothing of Nature's aim, or whether she have an aim. We know nothing of her consciousness, or whether she have a consciousness; of her thoughts, or whether she think at all. It is with her deeds and her manner of doing that we are solely concerned. And in these we find the same contradiction between our morality and Nature's mode of action as exists between our conscience and the instincts that Nature has planted within us. For this conscience, although in ultimate analysis due to her also, has nevertheless been shaped by ourselves; and opposes, as it advances step by step with human morality, an ever stronger resistance to the desires of our instinct. Were we only to listen to these desires, we should be acting in all things as Nature acts; for she, be wars never so inexcusable, injustice or cruelty never so

flagrant, is forever proclaiming the right of the stronger, the victory of the least scrupulous and best equipped. Our one object would be our own personal triumph, and we should pay not the slightest heed to the rights or sufferings of our victims, to their innocence or beauty, their moral or intellectual superiority. But, in that case, why should Nature have placed within us a conscience and a sense of Justice which have prevented us from desiring those things that she desires? Or is it we ourselves who have placed them there? Are we capable of deriving from within us something that is not in Nature, capable of giving abnormal development to a force at war with her force? And if we possess this power, has not Nature her own reasons for permitting us to possess it? Why should these two irreconcilable tendencies, incessantly at strife, and each alternately victorious, exist only in us, and nowhere else in the world? Would the one have been too dangerous without the other? Would it have passed beyond its goal perhaps? Would the desire for conquest, unchecked by a sense of Justice, have led to annihilation, as a sense of Justice without the desire for conquest might have led to inertia? But which of these two tendencies is the more natural and necessary; which is the narrower and which the vaster? Which is provisional and which eternal? Who shall tell us which one we should combat and which encourage? Should we conform to the law that is incontestably the more general, or should our heart cling to the one that is often quite exceptional? Can circumstances exist that give us the right to act in accordance with the apparent ideal of life? Is it our duty to have regard to the morality of the species or race, which seems irresistible to us, and stands forth as a clear revelation of one of Nature's obscure, unknown intentions; or is it essential that the individual should maintain and develop within him a morality entirely opposed to that of the race or species whereof he forms a part?

V.

Here indeed, in another form, we are once more confronted by the question which lies at the root of evolutionary morality, and is perhaps scientifically unsolvable. Reject the word as it may, evolutionary morality is based on the Justice of Nature, that saddles each individual with the good and evil consequences of his own nature and his own actions. And when, on the other hand,

this evolutionary morality seeks to justify actions which, although intrinsically unjust, are essential for the prosperity of the race, it falls back on what it reluctantly terms Nature's indifference or injustice. Two unknown aims are here, that of humanity and that of Nature; apparently irreconcilable, wrapped as they are in a mystery that may some day perhaps pass away. In point of fact, all these questions resolve themselves into one, which is the gravest by far of our contemporary morality. The race would appear to be becoming conscious—prematurely it may be, and perhaps disastrously—not, we will say, of its rights, for that problem is still in suspense, but of the fact that morality does not enter into certain actions which go to make history.

This disquieting consciousness would seem to be slowly invading individual life. Thrice, and almost in the course of one year, have we seen this question leap forth and assume vast proportions: America's crushing defeat of Spain (though here the issues were confused, for Spain had too long been heaping blunder on blunder, thereby complicating the problem); the case of an innocent man sacrificed to the preponderating interests of his country; and the iniquitous war of the Transvaal. The phenomenon, however, is not absolutely new. Man has always endeavored to justify his injustice; and when human justice offered him no excuse or pretext, he found in the will of the gods a law superior to the justice of man. But our excuse or pretext of to-day threatens our morality the more, inasmuch as it is based on a law, or at least a habit, of Nature, far more real, incontestable and universal than the will of an ephemeral and local god.

Which will prevail in the end, justice or force? Does force contain an unknown justice that will absorb our human justice; or is the feeling which seems to resist blind force actually no more than a devious emanation from that force; does it tend to the same good, and is it only the point of deviation that escapes us? This is not a question that we can answer, since we ourselves form part of the mystery we seek to solve; the reply can only come from one who should gaze down upon us from the heights of another world, who should know the aims of the universe and the destiny of man. In the meanwhile, if we say Nature is right, we say that the instinct of Justice, which she has placed in us, and which therefore also is Nature, is wrong, whereas if we approve this instinct, our approval is necessarily derived from the very object that we are calling in question.

VI.

That is true. But it is no less true that the desire to sum up the world in a syllogism is one of the oldest and vainest habits of men. In the region of the unknown and unknowable, logic-chopping has its perils; and here it would seem that almost all our doubts flow from another hazardous syllogism. We tell ourselves, boldly at times, but more often in a whisper, that we are Nature's children, and bound, therefore, in all things to conform to her laws and abide by her example. And since Nature regards Justice with indifference, since she has another aim, which is the sustaining, the renewing, the incessant development of life, it follows that—. So far we have not formulated the conclusion, or, at least, it has not yet dared openly to force its way into our morality; but, although its influence has hitherto only been remotely felt in that familiar sphere which includes our family, our friends and our own immediate surroundings, it is slowly penetrating into that vast and desolate region to which we relegate our unknown, unseen neighbor—him who for us has no name. It is already to be found at the root of many of our actions; it has entered our politics, our industry, our commerce, indeed, it affects almost all we do from the moment we emerge from the narrow circle of our domestic hearth—the only place, for the majority of mankind, where a little veritable Justice still obtains, a little benevolence, a little love. It will call itself economic or social law, evolution, competition, struggle for life; it will masquerade under a thousand names, forever perpetrating the self-same wrong.

And yet there can be nothing less legitimate than such a conclusion. Apart from the fact that we might with equal justification reverse the syllogism, and cause it to declare that there must be a certain justice in Nature, since we, her children, are just, we need only consider it as it stands to realize how doubtful and contestable is one at least of its two premises. Nature does not appear to be just in her dealings with mankind; but we have absolutely no means of judging whether she is just as regards herself. The fact that she pays no heed to the morality of our actions does not warrant the inference that she has no morality, or that our morality is the only one there can be. We are entitled to say that she is indifferent whether our intentions be good or evil, but

we have no right to conclude therefrom that she is destitute of all morality or equity, for that would be tantamount to affirming that there are no more mysteries or secrets, and that we know all the laws of the universe, its origin and its end. Her mode of action is different from our own, but, I say it once more, we know nothing of what her reason may be for acting in that different manner; and we have no right to imitate what appear to us to be cruel and iniquitous actions so long as we have no precise knowledge of the profound and salutary reasons that may underlie them. What is the aim of Nature? Whither do the worlds tend that stretch across Eternity? Where does conscience begin, and is its only form that which it assumes in ourselves? At what point do physical laws become moral laws? Is life unintelligent? Have we sounded all the depths of Nature, and is it only in our cerebro-spinal system that she becomes mind? Finally, what is Justice when viewed from other heights? Is the intention necessarily at its centre, and can no regions exist where intention no longer shall count? We should have to answer these questions, and many others, before we can decide whether Nature is just in her dealings with masses whose vastness corresponds with her own. She disposes of a future, a space, whereof we have no idea, wherein there exists, it may be, a Justice proportioned to her duration, her extent and her aim, even as our instinct of Justice is proportioned to the duration and narrow circle of our own life. She may for centuries commit a wrong that she has centuries in which to repair; but we, with our few days before us, lack the quality to imitate what our eye cannot embrace, understand or follow. Look away from the passing hour, and what standard have we whereby to judge her? For instance, even apart from the immensity that surrounds us, considering only the imperceptible speck that we are in the worlds, we are wholly ignorant of all that concerns a possible life beyond the tomb; and forget that, in the present state of our knowledge, nothing authorizes us to deny the existence of a sort of more or less conscious, responsible after-life; nor would such an after-life necessarily be subject to the decisions of an external will. He were very rash indeed who should assert that nothing survives in us, or in others, of the struggles of our will and the acquirements of our brain. It may be—and serious experiments, though they have proved nothing, do yet allow us to rank this among sci-.

tific possibilities—it may be that a part of our personality, our nervous force, may resist dissolution. How vast a future would then be thrown open to the laws that unite cause and effect, and that must always end by creating Justice when they come into touch with the human soul, and have centuries ahead of them! Before we declare that Nature is not just, let us at least remember that she is logical; and should we determine to be unjust, the difficulty still will be that we must also be logical; and, when logic comes into contact with our thoughts and feelings, our intentions and passions, what is there that differentiates it from Justice?

VII.

Let us not too hastily form a conclusion; there is so much that still is uncertain. Should we seek to imitate what we term the injustice of Nature, we should run the risk of imitating and fostering only the injustice that is in ourselves. When we say that Nature is unjust, we are in effect complaining of her indifference to our little virtues, our little intentions, our little deeds of heroism; and it is our vanity far more than our sense of equity that considers itself aggrieved. Our morality is proportioned to our stature and our narrow destiny, and we have no right to forsake it because it is not on the scale of the immensity and the infinite destiny of the universe.

And, further, should it even be proved that Nature is unjust on all points, the other question remains intact—whether the command be laid upon man to follow Nature in her injustice. Here we shall do well to let our own conscience speak, rather than listen to a voice so formidable that we hear not a word it utters, and are not even certain whether words there be. Reason and instinct tell us that it is well to follow the counsels of Nature, but they warn us not to follow these counsels when they clash with another instinct within us, and one not less profound: the instinct of what is just and what unjust. And if instincts do indeed draw very near to the truth of Nature, and must be respected by us in the degree of the force that is in them, this one is perhaps the strongest of all, for it has struggled alone against all the others combined, and still persists within us. Nor is this the hour to reject it. Until other certitudes reach us, it behooves us, who are men, to continue just in the human plan and in the human sphere. Let us not venture into the abyss

whence races and peoples to come may, perhaps, find the issue, but into which man, in so far as he is man, must not seek to penetrate. The injustice of Nature ends by becoming Justice for the race; she has time before her, she can wait, her injustice is of her girth. But for us it is too overwhelming, and our days are too few. Let us be satisfied that force should reign in the universe, but equity in our heart. Though the race be irresistibly, and perhaps justly, unjust, though even the crowd appear possessed of rights denied to the isolated man, and commit, on occasions, great, inevitable and salutary crimes, it is still the duty of each individual of the race, of every man in the crowd, to remain just, while ever adding to and sustaining the conscience within him. Nor shall we be entitled to abandon this duty till all the reasons of the great apparent injustice be known to us; for those that are given us now, preservation of the species, reproduction and selection of the stronger, of the abler, of the "fitter," are not sufficient to warrant so frightful a change. Let each one try by all means to become the strongest, the most skilful, the ablest at handling the difficulties of the life he cannot transform; but, so far, the qualities that shall enable him to conquer, that shall give the fullest play to his moral power and intelligence, and shall make him truly the happiest, most skilful, the strongest and "fittest"—these qualities are precisely the ones that are the most human, the most honorable and the most just.

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